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An Act for regulating the militia of the State and for repealing the several Laws heretofore made for that purpose.

Whereas the safety and defence of every free people materially depend upon a well ordered Militia, and from experience it has been found that the several Acts heretofore made and passed for that purpose, in this State, have been defective.

Be it therefore Enacted by the Representatives of the Freemen of the State of Georgia in General Assembly met and it is enacted by the authority of the same: That the several Counties in this State be laid out into three districts each constituting a Brigade: That the Counties of Chatham, Effingham, Liberty, Glen & Camden compose the first district; and the Counties of Burke, Richmond & Washington compose the second district, and the Counties of Wilkes, Greene and Franklin compose the third district: That the establishment of the several Companies, Corps, and battalions as now made with respect to numbers and bounds, be continued, unless altered by a majority

majority of the field officers, and two or more Magistrates in each county, which they are hereby empowered to do. That all militia commissions now of force be confirmed and where disputes of Rank shall take place the same shall be determined by priority of appointment; and that there be a Brigadier to command in each district. — That the Captains of Companies be empowered and required to assemble, train, and exercise them at the most convenient places within their respective bounds, at least four times in the year and not exceeding eight, first giving due notice of such muster, in the manner as shall be directed by the commanding officer of the Battalion; and that any male free inhabitant between the age of sixteen and fifty years who shall refuse or neglect to attend such Company musters shall be liable to a fine of two dollars; and the masters of apprentices and indentured servants shall be liable for their defaults. That each company have four sergeants and the names of the Persons composing it shall be written on ballots, and when sergeants are wanting they shall be drawn, and the whole serve by rotation or be fined.



3) and when any person so drawn shall refuse or neglect to serve he shall be liable to a fine of ten dollars if he shall not within four days after notice of his appointment find a person liable to be drawn as a Sergeant to serve in his room; and no person shall be obliged to serve longer than twelve months: and any private who shall attend such company muster without a gun, in good order, or shall misbehave, or disobey while under arms shall be liable to a fine of six dollars; and shall have powder and lead equal to six common cartridges, or be liable to a fine not exceeding one dollar.

That every company shall consist of not more than twenty five privates and non-commissioned officers, and a Captain and two Lieutenants to be elected by the former by ballot; and the Captain shall have power to appoint a Clerk; The commanding officer of each battalion shall appoint an Adjutant to the same: all commissions which are or may become vacant by Death, Resignation or otherwise shall be filled up according to seniority and where a new company shall be formed, or any of the commissions in one become vacant the same shall be filled

filled up by the election of the Company, and where a new battalion shall be established the field officers shall be appointed in the first instance by the house of assembly: That the commanding officer of each battalion be empowered and required to have general musters of the same at least twice in the year two more, and the fines for non attendance and default of arms and ammunition shall be double those imposed at Company musters, unavoidable impediments and reasonable excuses being always admissible: There shall be company battalion, and general Courts martial; a Company Court martial shall consist of three commissioned officers; and any non commissioned officer or private convicted of default, disobedience, or misbehaviour at a Company muster shall be sentenced to the fines imposed by this Act; and the Captain is authorized to issue a warrant directed to one of the sergeants to levy the same, and in case no goods or chattels can be found, to apprehend and confine such person for a term not exceeding one month at the discretion of the Captain in which the same shall be sooner paid; nor shall any such person be discharged



Until the costs of arrest and confinement be paid, and where a warrant shall be issued, the same or make due return in ten days he shall be liable to be fined in double the amount for which the warrant issued; A battalion Court Martial shall consist of one field officer, two Captains and four subalterns and shall be competent to try the Captains and subalterns on any charge of misbehaviour; And a general Court martial shall consist of a general officer of the State, and six field officers of the district, and shall be competent to try any general or field officer on any charge of disobedience of orders, neglect of duty, or other misbehaviour, And such general or field officer shall be sentenced to pay a fine not exceeding ten pounds, or be suspended, or broke at the option of the Court: All fines shall be paid to the Major and appropriated to the use of the battalion in the purchase of artillery, drums, Colours, or other necessaries, as shall be judged best by a Majority of the field officers; and the amount and Appropriation shall be reported to the Brigadier general four times in the year, and by him to the executive once in the year. — The commanding officer of a battalion may consent to the voluntary enrolment of one or two companies of horse, artillery, or infantry in each without respect to boundaries, equally subject to the Militia Law, and the rules and order and regulations of the battalion in common with the other Companies, the officers of which, to be elected by themselves, shall receive commissions When such enrolment shall amount to twenty five privates who shall be discharged from the boundary companies, upon a certificate from the captain of such



Volunteer enrolment, as long as he remains in the same, and no man shall  
 leave such Volunteer Company without giving one months notice to the  
 Captain and the captain of the company of the district in which he resides.  
 And no person within the description aforesaid shall be exempt from  
 militia service either in the boundary or volunteer companies except the  
 members of the Legislature, the members of the executive council the  
 Chief Justice, and justices of the peace, ministers of the gospel, the attorney  
 General, the secretary of state, Surveyor General and county surveyors,  
 Register of Probats, the secretary of the executive Council Clerk of the General  
 Assembly Clerks and Sheriffs of counties, Officers of custom Practitioners in Physic,  
 Goalers, Wardens of workhouses, Schoolmasters, Students in the academies,  
 Millers, Pilots, Seamen, Trippers & Ferry men.

And for as much as every State is liable to be attacked or threatened with invasions Be it also further enacted by the Authority aforesaid that it shall and may be lawful at all times for His Honor the Governor for the time being with the advice of the Executive Council to proclaim the State to be in alarm or danger of invasion and to embody any part or the whole of the Militia to repel any foreign hostilities or to suppress the insurrection of slaves, And it shall also be lawful upon the apparent probability of such hostility or insurrection to Order Brigade Reviews if it shall be thought necessary for the better making the arrangements of defence or attack upon which occasion no person within the description aforesaid shall be exempted except the Members of the Executive Council the Chief Justice, Ministers of the Gospel or ordained, the Attorney General the Secretary of State, the Surgeon General the Secretary of the Executive Council, Clerk of the General Assembly, the Clerks of Counties, Officers of Custom, Goalers, Wardens of Workhouses, Schoolmasters producing a Certificate of Two Justices of the peace having the care of at least fifteen Scholars - Millers - Pilots, Seamen, - Crispien, and public servants: And when the Militia shall be so ordered out, any Person who shall refuse or neglect to stand his draft shall be liable to a fine of Fifty Pounds or find a good and sufficient substitute to be approved of by the Captain and



8. and the whole immediately after being assembled at the Rendezvous shall  
 be subject to the same Rules and Regulations as the Federal Troops  
 now in the Service of the United States: provided that upon any  
 transgression or offence of a Militia Man whether Officer or private against  
 the Rules and Regulations aforesaid the cause shall be tried and deter-  
 mined by a Court Martial of the Militia of this State and that  
 it shall be in the power of the Governor or in case of his absence  
 of the commanding Officer of the Militia to mitigate suspend or par-  
 don any punishment to which any Militia man may be sentenced  
~~may be sentenced~~ by a general Court Martial, And be it further  
 enacted by the authority aforesaid: That the commanding officer of  
 each battalion shall cause to be appraised by two disinterested persons  
 oaths the Horses of each person serving as light horseman; And also all  
 other Horses going into actual service, provided such appraisment does  
 not exceed twenty Dollars for any one horse immediately before  
 going into actual service, and transmit the same to the  
 Executive Council; and in case such Horse shall be killed or die in  
 actual service, or be taken by an Enemy otherwise than by neglect he  
 shall be paid the value of such appraisment by an order to be drawn  
 by His Honor the Governor on the public Treasurer and that no person carry  
 any Horse into the field but those entitled to do so agreeable to the



And be it also enacted that in case of invasion ~~and in case of~~  
 commanding officer of any detachment, Regiment, Brigade, or division may from time to  
 time and as often as he shall judge necessary when in actual service by warrant  
 under his hand impress or cause to be impressed and taken, Arms ammunition provi-  
 sions Vessels Waggon Carts horses, and all other necessities for the use and benefit of the  
 Officers and Soldiers under his command first having the same appraised by two  
 free holders one to be chosen by the said Officer and the other by the person or persons  
 to whom the property shall belong, and if the said person or persons be not present  
 or if Present shall refuse to nominate such appraisers then the said officer is  
 hereby required to nominate both who on their oath which oath the said officer is  
 hereby empowered and required to administer shall appraise the value of the  
 said property justly and truly to the best of their knowledge and skill and certify  
 the same under their hands to the said officer and owner if he requires it a dupli-  
 cate of such certificate shall be transmitted as soon as may be by the said Officer  
 to his commanding Officer and by him to the executive and if any or all of the  
 property so taken or impressed should be of that kind which may be returned to the  
 Owner then and in that case the appraisers aforesaid shall in manner aforesaid  
 also appraise the daily hire of the same and make such Appraisement a  
 part of the aforesaid Certificate and that the Governor And



An Council may draw on the Treasury for the amount of all such perquisites  
 as aforesaid as shall appear to be just and reasonable, ~~Provided~~ <sup>Nevertheless</sup>  
 Let nothing herein contained shall extend to empower any Officer to  
 impreg supplies or other stores which may be absolutely necessary for the sup-  
 -port of the person and his family from whom improvement may be made and  
 of which two free holders on oath shall judge And be it also further  
 Enacted by the authority aforesaid that when the Militia shall be called  
 on duty that no officers shall be intitled to full pay only in proportion to the  
 Number of men they command and that the command of a Brigadier General  
 shall be on thousand men a Colonel five hundred a Lieutenant Colonel  
 two hundred and fifty a Major one hundred and fifty a Captain fifty and a  
 Lieutenant twenty five and the daily pay of the officers and privates of  
 the Militia while on actual duty shall be as follows. - To a Major General  
 twenty shillings to a Brigadier General fifteen shillings <sup>Eight shillings eight pence</sup> to a Colonel ~~nineteen~~  
<sup>to a Lieutenant Colonel nine shillings eight pence</sup> ~~shillings and pence~~ to a Major Eight shillings to a Captain six shillings  
 to each Subaltern four shillings Sergeants two shillings Drummers  
 and fifers two shillings privates one shilling and six pence.

And



Under the general regulation  
 Colonel, and each deputy in the Staff of  
 pay and Rations as a Subaltern Officer: and the  
 the Militia shall be as follows Three quarters of a pound of salt beef  
 or pork or one and a half 'lb' fresh beef or one pound of fresh pork one and  
 a quarter pounds of flour or chieft. or one and a half pounds of Rice,  
 One Gill of spirits, and One gill of salt to every five Men, each  
 Officer shall be entitled to the following number of Rations, each  
 Subaltern to One Ration and a half, a Captain to two Ra-  
 tions, a Major to two and a half, a Lieutenant Colonel to  
 three Rations, a Colonel to three and a half, a Brigadier  
 General to five Rations and a Major General or Officer com-  
 manding ~~an army~~ not less than One thousand Men  
 to ten Rations. Provided never the less that no person  
 whatsover shall be entitled to pay for Rations not drawn  
 and all former Militia Laws be and the same are hereby  
 Repealed.—

15<sup>th</sup> August 1786.

By order of the House.

*James Oglethorpe*  
 Speaker